

RICHARDSON'S BAY REGIONAL AGENCY

Thursday, October 25, 2012

5:00 P.M. to 7:00 P.M.

Sausalito City Council Chambers 420 Litho Street Sausalito, CA

PUBLIC COMMENT IS INVITED CONCERNING EACH AGENDIZED ITEM PURSUANT TO THE BROWN ACT. PLEASE LIMIT YOUR COMMENTS TO THREE (3) MINUTES.

AGENDA

5:00 PM - CALL TO ORDER - ROLL CALL

1. Minutes of August 16, 2012 Meeting
2. Review report of Harbor Administrator
3. Approval of prior expenditures for August 10 – October 10, 2012
4. Acceptance of FY 2009-10 and 2010-11 fiscal audit prepared by Maher Accountancy
5. Discuss and Approve Resolution 13-4: Application for Department of Boating and Waterway grant funding for \$30K to maintain and operate “Waste Aweigh” sewage pump-out vessel for three years
6. America’s Cup update
7. TMDL update
 - a. Water quality test results
8. Public comments invited concerning items NOT on this Agenda (3-minute limit)
9. Staff comments
10. Board member matters

NEXT MEETING: Tentatively planned for December 20, 2012. Board members please review your calendars and advise Staff as to your availability.

A COMPLETE AGENDA PACKET IS AVAILABLE FOR VIEWING ON THE RBRA WEBSITE <http://rbra.ca.gov> , AND AT THE SAUSALITO CITY LIBRARY.

TO RECEIVE AN ELECTRONIC MEETING NOTICE, PLEASE EMAIL REQUEST TO DON ALLEE AT dallee@co.marin.ca.us

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RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

October 19, 2012

TO: RBRA Board

FROM: Ben Berto, RBRA Clerk

SUBJECT: October meeting

Board members:

The agenda is fairly straightforward. The Board is asked to approve a \$30,000 grant (half of the \$60K originally anticipated) for the vessel pumpout program, and to re-accept the audit for Fiscal Years 2009-10 and 2010-11. Staff will provide an update on the current status of the State-imposed Total Maximum Daily Load (TMDL) plan.

Staff completed and submitted RBRA's \$495,000 grant application to CalRecycle, and hope to hear back soon whether or not we were successful. Staff believes there is a good chance we will receive the grant.

Plenty of credit is due to Staff that worked on the grant application, including Bill Price, Leslie Alden-aide to Boardmember Sears, and Adrienne Klein from BCDC. The CalRecycle staff was also very helpful in assisting with their new and challenging online application process.

If awarded, the grant will definitely assist the RBRA in achieving the Board's desire to abate "low-hanging fruit" abandoned, derelict vessels in Richardson's Bay. It will more than double our current vessel abatement budget over the three years of the grant. It will also enable the RBRA to overcome potentially budget-wrecking events such as a large, commercial vessel having to be demolished, a large storm resulting in numerous vessels to be disposed of (which we were fortunate to avoid last winter), or anticipated vessel abatement efforts elsewhere in SF Bay sending an influx of displaced vessels to our anchorage (more details to be provided in the Harbormaster's oral report).

The task of meaningful and sustainable long-term management of vessels in various condition and ownerships is only beginning. Enhancing RBRA's vessel management capabilities will be an important step in effectively addressing current and future vessel-related issues. Many challenges remain en route to a more comprehensively managed anchorage. The attached articles illustrate how widely perspectives can differ on anchorage issues.

Staff is asking the Board to formally accept the Maher audit report for FY's 2009-10 and 2010-11. Since this has already been reviewed in a public hearing and that hearing closed, no further public hearing is necessary on this item.

RICHARDSON'S BAY REGIONAL AGENCY
MINUTES OF AUGUST 16, 2012
HELD AT SAUSALITO CITY HALL CHAMBERS

MEMBERS PRESENT: Chair Ken Wachtel; (Mill Valley); Emmett O'Donnell (Tiburon); Jerry Butler (Belvedere); Kate Sears (Marin County); Herb Weiner (alternate – Sausalito)

ABSENT: Jonathan Leone (Sausalito)

STAFF: Bill Price (Harbor Administrator); Ben Berto (RBRA Clerk)

Meeting called to order at 5:40 PM

Adjourn to Closed Session.

Conference with legal counsel regarding anticipated or significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: one (1) potential case.

No reportable actions were taken and direction was provided to Staff.

Re-Adjourn at 6:55

Minutes of June 2012 RBRA meeting

Minutes were approved unanimously.

Review report of Harbor Administrator

Mr. Price reported on the vessel disposal fees for a 65' powerboat "Amazing Grace". Member Cromwell pointed out the contractor costs seemed to be 3 times as high as an RBRA disposal. Mr. Price noted that for safety reasons RBRA has to use contractors for larger vessels, and such a cost differential is fairly typical between in-house and contracted disposal.

Mr. Price also noted that Sausalito PD was utilizing the RBRA patrol vessel quite a bit due to the shallow water capabilities, and the expenses were still being shared. Member Sears asked about the US Coast Guard red-tagging vessels. Mr. Price reported that efforts were occurring but did not lead to much follow up. However, the vessels were entered into their data base and future action might be possible.

Prior expenditures

The expenditure report was accepted unanimously.

Discuss and approve Resolutions 13-1 and 13-2 accepting funding from the State Department of Boating and Waterways for vessel removal operations.

After a brief description of the VTIP and AWAFF programs, both Resolutions were approved unanimously. Mr. Price noted the more widespread requests for funding as the reason for the grants' reduced amounts from the RBRA's original requests, and explained

that some of that shortfall would be recovered since the 10% match requirement can be attained through in-kind contributions.

Discuss and approve Resolution 13-3 authorizing the application to CalRecycle for grant funding of \$495K to augment derelict vessel removal operations over the next three years.

The CalRecycle grant program and pending RBRA application were described by Mr. Berto, and the Resolution was approved unanimously.

America's Cup Update

Mr. Berto informed the Board that the AC45 races had been conducted, and the impacts on Richardson's Bay were negligible. He recognized that the main event - the America's Cup in the summer of 2013 - would pose a different level of impact, and said that Staff was preparing for it accordingly.

Public Comments

None

Staff Comments

Mr. Price invited the Board to participate in the Cass Gidley Marina clean-up day to be held on September 8th in Sausalito.

Board Member Matters

None

The meeting was adjourned to closed session at 7:20 PM.

NOTE: The next meeting of the RBRA is tentatively scheduled for **October 25, 2012 at 5:30 PM** at the Sausalito City Hall Chambers.

RICHARDSON'S BAY REGIONAL AGENCY

HARBOR ADMINISTRATOR'S REPORT

October 12, 2012

WORKING RELATIONSHIPS

- **Dept. of Boating and Waterways** – 1) The pump-out boat Operations and Maintenance grant is being finalized and will provide \$30K to be used over two years. This is a 50% reduction from prior years and is due to the recent merger of Department of Boating with State Parks and Recreation.
- **US Coast Guard** – Met with the Abandoned Vessels group on 8/10 to discuss regional issues and explore vessel removal through new regulations adopted through the State Lands Commission. Task force approach is being considered for Oakland Estuary, with funding provided by CalRecycle
- **Sausalito Public Works** – Cleared the Cass Gidley marina of debris, boats and emptied all out buildings with probation crew.
- **Cal Recycle** – The grant application for Cal Recycling funding was submitted and it is in review. Preliminary discussions with their staff make it appear that it has a high likelihood of approval.

DEBRIS REMOVAL

- Disposed of 9 vessels. One was another 65' powerboat. 3 vessels are currently awaiting demolition.
- 2 boats are currently impounded
- Beach clean-up efforts ongoing using Marin Co. Community Service volunteers.

RAPID RESPONSE

- Recovered 2 powerboats, a dock section and a skiff from Belvedere shoreline. Went out on two occasions to rescue vessels but owners had already secured the problem.

WATER QUALITY

- Finished up water testing for Fall 2012. Preliminary results are very good and the State Water Board is pleased with the improvements being tracked.
- Gearing up for the closure of Marin County labs, where our samples have been tested. They will remain open through the winter test regimen. It is expected that costs for sample testing will rise in the next fiscal year. Researching the possibility of contracting with other labs in order to keep costs down and send samples closer than Fairfield

OTHER

- Attended the annual California Association of Harbor Masters and Port Captains conference and trade show in Long Beach to meet with colleagues and Department of Boating staff in classes and discussions on harbor related issues.
- Completed the intermediate marina management course conducted by International Marina Institute

Richardson's Bay Regional Agency

Vessel Disposal List August - October 2012

Date	Name	Type	Amount
8/18/2012	Furious	36' wooden powerboat	980.00 abandoned - sunk - AWAFF
8/18/2012	Sea Ray	28' f/g powerboat	3748.00 abandoned - sunk - AWAFF
9/14/2012	Cass sailboat	19' f/g sailboat	500.00 abandoned * - AWAFF
9/30/2012	De Pta Madre	26' f/g powerboat	850.00 abandoned * - AWAFF
9/30/2012	Sea Note	31' f/g powerboat	950.00 abandoned * - AWAFF
9/30/2012	Smooth Operator	26' f/g powerboat	1200.00 abandoned * - AWAFF
9/30/2012	Big Bleu	26' f/g powerboat	950.00 abandoned * - AWAFF
10/6/2012	Marin Isle	27' wooden sailboat	2200.00 abandoned *- beached - AWAFF
10/17/2012	Canta Mar	66' wooden powerboat	18000.00 abandoned * - AWAFF

9 vessels total 29378.00

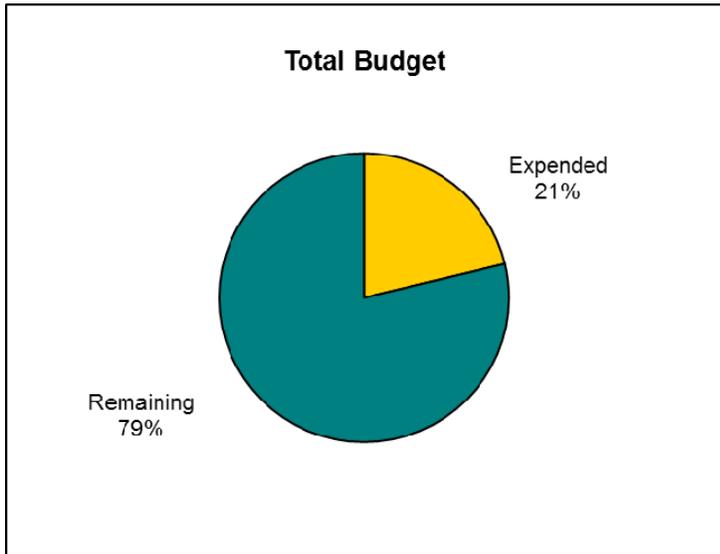
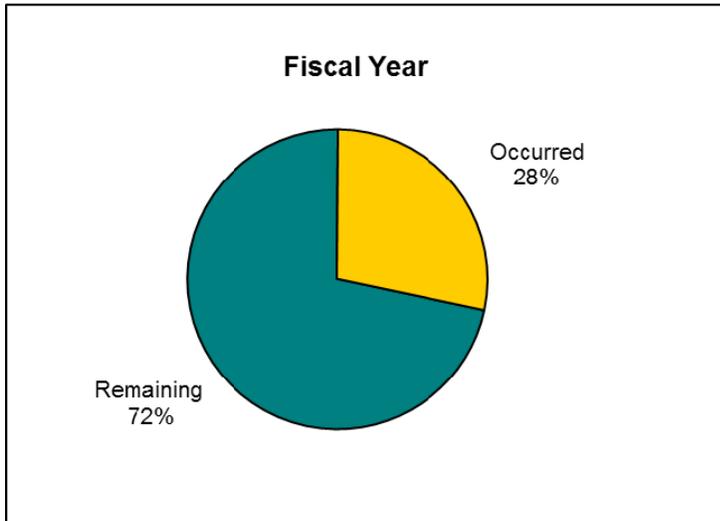
* indicates estimated invoices

RBRA-FY 2012/13 - August 10 - October 10, 2012 BALANCE SHEET

COST ELEMENT	DESCRIPTION	EXPENSES	REVENUES
Com Srvc - Broadband	AT&T - internet	92.65	
Com Srvc - Broadband	Earthlink - internet	7.90	
Trav - Parking	Parking in SF for meeting	21.00	
Postage	Fed Ex	13.17	
Postage	Post Office	20.80	
Oth Maintenance	West Marine	26.63	
Oth Maintenance	West Marine	285.16	
Rent - Off Space	Schoonmaker Point marina - slip rental	276.12	
Rent - Off Space	Schoonmaker Point marina - slip rental	147.50	
Rent - Off Space	Libertyship Dry Storage	240.00	
HazMat Clean Up	Bay Cities Refuse Service - debris boxes	1,024.65	
Rent - Equip Rental	Hertz - backhoe rental	573.32	
Professional Services	Diego Towing - bring large vessel up ramp	375.00	
HazMat Clean Up	Bay Cities Refuse Service - debris boxes	1,050.25	
Rent - Off Space	ICB Building - office rental	420.00	
Professional Services	MT Head - waste pump out	425.00	
Professional Services	Parker Diving - midnight tow of 60' vessel	1,580.00	
Com Srvc - Cell Phon	AT&T - mobile service	78.66	
Rent - Equip Rental	Hertz - backhoe rental	526.01	
Professional Services	Alexander - website services	310.00	
Professional Services	Fleshman - day labor	225.00	
Bldgs & Grounds Rent	Mooring rental		-150.00
Bldgs & Grounds Rent	Mooring rental		-300.00
Bldgs & Grounds Rent	Mooring rental		-150.00
Bldgs & Grounds Rent	Mooring rental		-150.00
Professional Services	Wedlock Surveys - vessel survey	235.00	
Professional Services	Wedlock Surveys - vessel survey	235.00	
Professional Services	Fleshman - day labor	200.00	
Mitigation Grant	Waldo Point Harbor - Gates Harbor settlement		-50,000.00
Com Srvc - Broadband	AT&T - internet	97.54	
Com Srvc - Broadband	Earthlink - internet	7.90	
Rent - Off Space	Clipper Yacht Harbor	29.40	
Trav-Meals	Saylor's Landing - volunteer lunch	19.44	
Trav - Parking	Parking in SF for meeting	17.50	
Printing Supplies	Office Depot	9.20	
Oth Maintenance	West Marine	77.75	
Oth Maintenance	Home Depot	21.67	
Maint & Rep Su - Oth	Hirshfeld - patrol vessel repair	293.07	
Oil & Gas Outside	Chevron - patrol vessel fuel	80.00	
Oil & Gas Outside	Shell - chainsaw fuel	16.95	
Rent - Equip Rental	Hertz - backhoe rental	545.40	
Professional Services	Fleshman - day labor	212.50	
Memberships & Dues	Harbor Masters and Port Captain - annual dues	300.00	
Rent - Off Space	Libertyship Dry Storage	240.00	
Rent - Off Space	Schoonmaker Point marina - slip rental	160.00	
Rent - Off Space	Schoonmaker Point marina - slip rental	550.80	
City Contribution	City of Belvedere member dues		-17,960.00
Ins - Gen Liability	Alliant - annual SLIP Insurance	13,735.43	

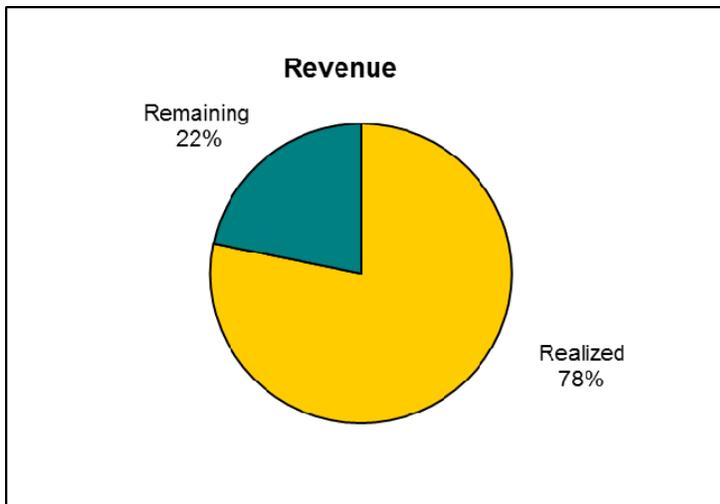
ProfServ-CntySalRe	Salary costs	10,454.30	
Professional Services	MT Head - waste pump out	425.00	
Rent - Off Space	ICB Building - office rental	420.00	
Com Srvc - Cell Phon	AT&T - mobile service	85.14	
Professional Services	Fleshman - day labor	150.00	
State - Grant	Accounts Receivable-Government Agencies	134.20	
Bldgs & Grounds Rent	Mooring rental		-150.00
Sales and Services	Mooring rental		-150.00
Sales and Services	Sale of used outboard motor		-1,800.00
HazMat Clean Up	Bay Cities Refuse Service - debris boxes	950.70	
Professional Services	Fleshman - day labor	137.50	
ProfServ-CntySalRe	Salary costs	10,454.30	
			-70,810.00
		48,014.51	

Percent of Budget and Percent of Year as of October 11, 2012



Expenditures vs. Budgeted Expenditures

Expenditures	\$ 79,270
Adopted Budget	\$373,373



Realized Revenue vs. Budgeted Revenue

Realized Revenue	\$292,638
Budgeted Revenue	\$374,080

RICHARDSON'S BAY REGIONAL AGENCY

RESOLUTION NUMBER 13-04

OF THE RICHARDSON'S BAY REGIONAL AGENCY

REQUESTING A GRANT IN THE AMOUNT OF \$ 30,000.00 FROM THE DEPARTMENT OF BOATING AND WATERWAYS FOR THE OPERATIONS AND MAINTENANCE OF A BOAT PUMP-OUT VESSEL AT RICHARDSON'S BAY, MARIN COUNTY

WHEREAS, desirous of increasing and improving the boaters facilities, the Richardson's Bay Regional Agency is operating and maintaining a pump-out vessel to meet the needs of the boaters and to provide public access to this facility; and

WHEREAS, the Department of Boating and Waterways is authorized to provide grants to cities, counties, districts, and other public agencies for the operating and maintenance of pump-out vessel facilities;

NOW, THEREFORE, BE IT RESOLVED, that the Richardson's Bay Regional Agency by adoption of this resolution hereby requests that the Department of Boating and Waterways provide a grant for the purpose of operating and maintaining a pump-out vessel at Richardson's Bay, County of Marin; and

BE IT FURTHER RESOLVED that the Richardson's Bay Regional Agency agrees to accept the grant and hereby authorizes their representative Bill Price, Harbor Administrator for the RBRA, to sign the grant agreement and accept the grant for the purpose stated above.

PASSED AND ADOPTED by the Board of the Richardson's Bay Regional Agency on October 25, 2012 by the following vote:

Ayes:

Noes:

Absent:

CERTIFICATION:

Kenneth Wachtel, Board Chair

Ben Berto, Clerk, RBRA

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

October 19, 2012

TO: RBRA Board

FROM: Ben Berto, RBRA Clerk

SUBJECT: Total Maximum Daily Load status

Staff just completed compiling the results of this current dry season's water quality testing (see attached). The results are the best Staff has seen since water quality testing was initiated. However, caution should be exercised in reading too much into one year's water quality results. For example, unusually there was no measurable precipitation during the test period, which helped quality results due to minimal infiltration and inflow from storm drains emptying into Richardson's Bay. Daytime temperatures were also moderate. Waldo Gates not surprisingly posted the only exceedance.

RBRA has two related programs implementing our responsibilities for the State Regional Water Quality Control Board's mandated Total Maximum Daily Load (TMDL) plan for Richardson's Bay: the *TMDL Local Implementation Plan* (dated September 17, 2009), and the *Richardson's Bay Regional Agency and County of Marin Houseboat Marina Program* (undated but approved by the RBRA Board on December 15, 2011 - see attached for both).

The following briefly goes down the list of local adoption items.

TMDL Local Implementation Plan

Water quality testing – RBRA has, as noted above, continued to provide both dry- and wet-season water quality testing at its own expense, something that could double next fiscal year with the pending closure of Marin County's labs.

Anchor-out vessels pumpout participation – While RBRA has set a goal of 100% participation in the MT Head pumpout program, the 50% or so participation achieved to date is probably a more realistic attainment level given the disorganized nature of both vessels in the anchorage, and the alternative (but satisfactory) methods used by some of the individuals living on those vessels. Staff continues to encourage participation, and notes that higher pumpout participation rates would be much more easily achieved if vessels were on moorings.

Marina neighborhood watch – A watch program is in effect, with positive results in terms of reported leaks (a rare occurrence).

Marina pumpout participation – To staff's knowledge virtually all liveaboard vessels in marinas receive pumpout service.

Marina sewage pumpout facilities – One marina has secured pumpout facilities, one marina has been non-responsive to inquiries, and another marina may be a questionable investment due to its currently dilapidated condition. It should be noted that the primary customer for such pumpout facilities is the MT Head pumpout vessel.

California Certified Clean Marina – the Harbormaster has been working with marinas to achieve this certification.

Waldo-Gates marina upgrades – After decades in the making, work is finally starting on the Waldo Point Reconfiguration Project, which includes sewer line upgrades.

Marina implementation of TMDL-related measures – See Houseboat Marina Program discussion following.

Houseboat Marina Program

The program was developed by Marin County Environmental Health Services (EHS) in conjunction with RBRA, and contains the following recommendations:

Inspection

- *Encourage harbormasters to schedule regular inspections of their dock's sewage collection system. The mainline sewage tank and pump should be visually inspected, cleaned, and repaired (as necessary) annually. Records of the inspections, findings and action should be maintained, and submitted annually to RBRA/County EHS.*
- *Encourage dock residents to promptly report leaks to harbormasters. RBRA/County EHS will assist in the event of a delay in response/resolution.*
- *Sewage collection system inspections should be performed after earthquake/tsunami events as these tend to affect the integrity of the joints.*
- *Record inspections and document leaks//repairs/other issues in incident reports. Include in annual report to RBRA/County EHS.*
- *A complete system evaluation should be performed as part of a houseboat marina Use Permit renewal, to assess the integrity of the system components. This should include any system components from the houseboat hull to the shore side pump stations.*
- *External ejector or grinder pump configurations (those mounted on the outside of the houseboat hull) should be inspected periodically for integrity. Frequency of inspection should be determined based on previously demonstrated durability.*

Collection System Design and Configuration

- *All ejector or grinder pumps and holding tanks should be moved inside the hull of the houseboat if possible. This should always occur at time of re-hull. Currently about 95% are stationed inside the hull of the houseboat.*
- *The flexible hoses utilized for the laterals from the houseboat to dock transition should be scheduled for replacement on a periodic basis based on reasonable life expectancy considering the demands of the environment.*

- *All hard plumbing (holding tanks and hard piping) associated with the houseboat should be maintained completely above the water line at all times.*

Information Dissemination

- *Work in conjunction with Harbormasters and Floating Homes Association (FHA) to disseminate information concerning the Houseboat Marina Inspection Program to all houseboat residents. An annual issue of the Floating Times (scheduled for printing in February 2012) should:*
 - *Outline best management practices for individual, onboard sewage systems,*
 - *Provide a phone tree for sewage emergencies specific to each marina and/or dock,*
 - *Describe the signs to look for when a leak is suspected.*

The majority of harbormasters conduct annual sewage system inspections and (if appropriate) maintenance. This is sound management – an impaired or nonfunctional sewage system would cause all sorts of problems.

EHS is working with RBRA Staff to develop a leak report form and should soon have a draft to present to harbormasters.

All new houseboats feature internal ejector and grinder pumps.

EHS and RBRA staff is working on developing and disseminating information including a phone tree emergency call list.

Conclusion

RBRA and EHS's implementation of local TMDL programs is well underway. Staff is confident that these programs are assisting with moving towards achieving the TMDL's overall water quality objectives. The Board will recall that the TMDL's water quality goal for Richardson's Bay is nearly the pristine shellfish consumption standard, a historical artifact curiously adopted by the State. As can be seen from September's water quality testing results, the much more relevant and practical water quality standards for water-contact recreation were achieved across the board for all testing periods and stations except Gates. Staff will continue to periodically update the Board on TMDL-related matters.

DRY SEASON

	Single Sample					30 Day Geo Mean
Total Coliform Not To Exceed	10,000					1000
E. coli Not to Exceed	235					126
Enterococcus Not to Exceed	104					35
						
WALDO POINT GATES COOP Station #41	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	1401	1780	1246	5797	3130	2240
E. coli 235 / 126	175	148	74	393	199	172
Enterococcus 104 / 35	51	10	10	120	10	23
KAPPAS HOUSEBOATS Station #43	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	591	0	2282	311	1086	1064
E. coli 235 / 126	52	145	160	63	41	79
Enterococcus 104 / 35	20	31	10	9	10	14
WALDO "A" DOCK Station #40	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	204	1211	323	193	820	417
E. coli 235 / 126	20	63	41	62	31	40
Enterococcus 104 / 35	10	9	9	86	10	15
WALDO POINT SOUTH 40 Station 15	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	145	1439	161	185	889	354
E. coli 235 / 126	41	31	20	132	223	60
Enterococcus 104 / 35	10	9	9	10	9	9
CLIPPER BASIN #4 Station 14	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	84	650	73	228	226	183
E. coli 235 / 126	10	30	31	41	63	30
Enterococcus 104 / 35	10	9	9	9	9	9
ARQUEZ MARINA Station #37	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	41	383	72	288	359	164
E. coli 235 / 126	9	20	10	9	20	13
Enterococcus 104 / 35	9	9	9	9	9	9
CLIPPER BASIN #1, Station CB1 (NEW)	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	96	455	181	195	256	209
E. coli 235 / 126	36	9	10	10	9	12
Enterococcus 104 / 35	9	9	20	9	9	11
SCHOONMAKER BEACH Station #33 (EHS)	29-Aug-12	5-Sep-12	12-Sep-12	26-Sep-12	3-Oct-12	19-Oct-09
Total Coliform 10,000 / 1000	373	63	771	20	85	125
E. coli 235 / 126	20	10	9	9	9	11
Enterococcus 104 / 35	10	10	9	9	10	10
SCHOONMAKER Station #32	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	9	554	9	9	246	40
E. coli 235 / 126	9	31	9	9	9	12
Enterococcus 104 / 35	9	10	9	9	20	11

DRY SEASON

	Single Sample					30 Day Geo Mean
Total Coliform Not To Exceed	10,000					1000
E. coli Not to Exceed	235					126
Enterococcus Not to Exceed	104					35
						
GALILEE / NAPA Station #8	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	120	420	158	9	216	109
E. coli 235 / 126	20	10	9	9	9	11
Fecal 400 / 200	4	2	13	4	11	5
Enterococcus 104 / 35	9	10	9	9	9	9
MARINEWAYS Station MW (NEW)	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	465	1130	197	379	759	495
E. coli 235 / 126	145	52	20	41	144	62

Enterococcus 104 / 35	41	20	10	9	20	17
PELICAN HARBOR Station #6	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	10	323	52	20	161	56
E. coli 235 / 126	10	10	9	9	10	10
Enterococcus 104 / 35	9	9	9	9	9	9
SAUSALITO YACHT HARBOR Station #5	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	41	262	41	75	97	80
E. coli 235 / 126	20	9	10	31	9	14
Enterococcus 104 / 35	9	9	9	9	10	9
SAUSALITO YACHT HARBOR Station #3	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	84	328	75	30	121	94
E. coli 235 / 126	9	10	9	9	30	12
Enterococcus 104 / 35	31	9	9	20	31	17
CONTROL STATION DAYMARK #6 Station C	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	10	259	9	9	20	21
E. coli 235 / 126	10	9	9	9	9	9
Enterococcus 104 / 35	9	9	9	9	9	9
CONTROL O STRAWBERRY POINT	30-Aug-12	5-Sep-12	11-Sep-12	26-Sep-10	3-Oct-10	3-Oct-10
Total Coliform 10,000 / 1000	41	1381	51	52	97	108
E. coli 235 / 126	10	41	9	20	9	15
Enterococcus 104 / 35	9	10	9	9	9	9

RICHARDSON'S BAY REGIONAL AGENCY

TMDL Local Implementation Plan

September 17, 2009

Background:

The California Regional Water Quality Control Board – San Francisco Bay Region (RWQCB) has tasked the Richardson's Bay Regional Agency (RBRA) with developing a response to the RWQCB's recently passed TMDL (Total Maximum Daily Load) Plan requirements for achieving water quality improvements in Richardson's Bay. The TMDL has assigned to the RBRA and several other local agencies water quality improvement-related responsibilities concerning anchored-out vessels, houseboats, marinas, and water quality testing. This document is RBRA's Implementation Plan.

Purpose:

The purpose of RBRA's TMDL Implementation Plan is to set forth RBRA program activities and timing consistent with RWQCB TMDL implementation measures, in furtherance of achieving compliance with the TMDL overall water quality objectives for Richardson's Bay. RBRA's program responsibilities for multi-agency program activities are limited to those identified in this Plan as being performed by the RBRA.

RBRA Implementation Plan Response:

Commencing with adoption of this local Implementation Plan, and in full effect after the State Water Quality Control Board and USEPA adopt the final Basin Plan Amendment (anticipated for late 2009), RBRA will implement the following:

Water Quality Testing

The RBRA will conduct water quality testing for Fecal Coliform, Total Coliform, Enterococcus, and E. Coli. Water testing protocols will be multiple tube for Fecal Coliform and Total Coliform, and enzyme substrate for Enterococcus, Total Coliform, and E.Coli. A total of 16 sites will be sampled and tested. Tests will be performed on samples taken at each of the test sites at weekly intervals for five (5) consecutive weeks. The five-week sample and test series will be conducted once during the dry season and once during the winter, for a total of 10 tests at each of the test sites. The test results will be reported to the RBRA and the RWQCB.

Timeline: Dry season testing in late summer (August-October) 2009, and wet season testing in Winter (January –March) 2010.

Anchor-Out Vessels

RBRA will pursue 100% participation in the MT Head pumpout program for live-aboard anchorout vessels, and will assist live-aboard vessel owners in obtaining marine sanitation devices (msd's) with holding tanks, to be used in conjunction with the pumpout program. State Pump-Out Grant assistance will be utilized to pay operating costs for pumping out the vessels and may pick up some, if not all, of the costs for setting up vessels with msd's and holding tanks.

Timeline: Initial implementation immediately, full compliance by Winter 2010

Marina/Anchorouts

Marina owners/operators, houseboat owners, and anchorouts will implement a “neighborhood watch” for sewage spills for both houseboat and recreational marinas, and anchorouts, with a hotline directed to first responders (EHS, RBRA, SASM, Southern Marin Sewage, etc.).

Timeline: Winter 2010

Harbormasters will coordinate with RBRA to ensure 100% compliance with their pump-out programs for live-aboards.

Timeline: Winter 2010

RBRA will work directly with the three marinas that do not have sewage pump-out facilities to assist them in achieving State grant funding to install infrastructure.

Timeline: Marina operators to submit grant applications by July 2010

RBRA will work with all local marinas to assist their becoming certified California Clean Marinas.

Timeline: Ongoing, certification goal July 2011

RBRA will continue to work with Gates Cooperative marina to repair and upgrade their system until the Waldo Point Reconfiguration Project is complete.

Timeline: Ongoing until project completion

RBRA will work with local marinas to facilitate their development and activation of implementation measures required in the TMDL.

Timeline: July 2011

Multi-Agency Plan Response

A multi-agency approach will be used to satisfy certain TMDL implementation measure requirements. RBRA Staff has met with representatives of the County of Marin Environmental Health Services (EHS) and Marin County Stormwater Pollution Prevention Program (MCSTOPPP), and received their preliminary commitment to participate in the multi-agency response in the following shared TMDL plan elements:

EHS will take the lead in ensuring houseboats are tested on a biennial basis for sewage conveyance system integrity. RBRA will facilitate meetings between the houseboat marina owners/operators, houseboat association representatives, and EHS. The meetings will develop and implement procedure(s) for testing the sewage conveyance system of all houseboats in each houseboat marina.

Timelines: Immediately for initial implementation steps, full compliance estimated Winter 2010

MCSTOPPP will conduct additional water quality testing associated with stormwater program responsibilities. RBRA has agreed to conduct sampling on behalf of MCSTOPPP for the testing sites that relate to MCSTOPPP program responsibilities.

Timeline: Dry season testing in late summer (August-October) 2009, and wet season testing in Winter 2010.

RWQCB has offered to participate in water quality testing. RBRA has not assigned any budget support amount from RWQCB. If RWQCB can contribute, it will help defer some of RBRA’s

expenses. RWQCB has also indicated it will provide water quality-related informational/educational materials, which RBRA will distribute to boaters and houseboat residents.

Attachments:

1. Table 7-4 Trackable implementation measures for Richardson's Bay pathogens TMDL (RWQCB, 07/09/08).
2. Revised testing sites diagram

Richardson's Bay Regional Agency and County of Marin Houseboat Marina Program

Background

There are approximately 420 houseboat residences (floating homes) in the unincorporated area of the County of Marin just north of the Sausalito city limits. They are docked at four marinas that are separately owned, operated and maintained. The marinas with the number of docks, houseboats, and pump/lift stations are listed below:

• Commodore	1 dock	11 houseboats	1 pump/lift station
• Kappas	3 docks	117 houseboats	2 pump/lift stations
• Waldo Point	6 docks	270 houseboats	4 pump/lift stations
• Yellow Ferry	1 dock	22 houseboats	1 pump/lift station
• TOTALS	11 docks	420 houseboats	8 pump/lift stations

The four marinas are comprised of eleven individual docks. Nine of the eleven docks are on pilings and fixed, therefore not subject to tidal influence. Two of the eleven docks, Commodore (11 houseboat residences) and Waldo Point "the Gates" (37 houseboat residences), are floating docks subject to tidal actions. Waldo Point the Gates is currently in design review with a planned total rebuild as a fixed pier.

Each marina provides sewerage, potable water, gas, electric, cable TV/computer, telephone and fire suppression service to the houseboat residences in much the same way as is provided to land side residences. There are significant differences in the sewage collection system for the houseboat communities compared to land based systems.

1. The collection systems are suspended beneath the dock/pier and are exposed, accessible, and generally visible from the houseboat to where the system goes underground at the transition to shoreline.
2. The collection system for the houseboat communities from the point of discharge at the houseboat to entry into the underground pump stations are under pressure created by the ejector and grinder pumps used to pump wastewater from each individual houseboat.

Houseboat Marina Sewage Collection System Design Components

Each floating home has a fully enclosed holding tank with an ejector or grinder pump within the tank to deliver the houseboat's wastewater up to the main sewer line which is suspended under the dock. The holding tank and ejector/grinder pump configurations are either mounted on the inside or outside of the floating home hull. The mounting of holding tanks and ejector pumps appears to be evenly distributed on the inside and outside of the houseboat hull throughout the marinas.

Wastewater delivery from the houseboat to the dock main is accomplished through a flexible 1½" to 2" hose termed a "lateral". This lateral connects the houseboat wastewater holding tank to the main sewer line. The lateral is suspended between the holding tank and the dock sewer main and allows for houseboat movement due to tidal action. Where there is a fixed pier, the laterals generally are hung such that they are completely out of the water at low tide, and

partially submerged during high tides. The laterals for the two floating docks are generally submerged at all times except for the two connecting ends.

There are two check valves between each houseboat ejector pump and dock main line to prevent wastewater from flowing back to the houseboat when the ejector pump has stopped pumping. One check valve is located at the ejector pump and one check valve is located where the lateral enters the main sewer line under the dock.

The sewer main of the sewage collection system is PVC pipe suspended beneath the main dock above the water. The sizing of the main line is based on the length of run of the main as well as the number of houseboats connected. For example, Waldo Point has one main that increases in diameter from 2" to 2 1/2" to 3" to 4" before reaching shore.

The sewer mains proceed underground upon reaching shore and terminate at pump stations. These stations have two pumps (generally 5 horsepower each) which alternate duty via float switches in the tank. There are audible and/or visual malfunction alerts for both high and low water conditions in the holding tanks. If one pump fails, the other pump assumes total duty and the alarms are activated. In the event both pumps fail, there is an overflow tank that provides emergency capacity. If repairs cannot be made quickly and overflows are imminent, the holding tanks can be manually pumped by a service provider.

Sewage from the houseboat marina pump/lift stations is pumped directly to the Sausalito - Marin City Sanitation District's (SMCSD) sewage collection system. Sewage collection, treatment and disposal are provided by SMCSD.

The maintenance and operation of the system components as well as wastewater management from the houseboat to the marina dock sewer main are the responsibility of the houseboat owner. The responsibility for the maintenance and operation of the sewer main from the dock to and including the pump/lift stations is that of the marina owner. The sewage collection system beyond the marina pump/lift stations is the responsibility of SMCSD.

Houseboat Marina Sewage Collection System Procedures

The four houseboat marina collection systems are all very similar in design. As a result, the approach taken by marina operators for sewage collection system oversight, management and maintenance are essentially the same.

All system lines are under some pressure at all times. This makes detection of any leaks or compromises in the system easily recognized both visually and audibly by anyone in reasonably close proximity.

Preventative inspections tend to be minimal due to the close proximity of full time residents and ease of problem detection. Because the underside of the marina piers also carries fire suppression, gas, electrical, water, cable TV, and telephone lines, there is frequent work under the dock with opportunity to observe the sewage collection system. Additionally, there are annual inspections required of both the gas lines as well as the fire suppression system. Marina

staff participates in these inspections which provide opportunities to visually survey the sewage disposal network.

In the event a component belonging to a homeowner fails, the homeowner is notified to arrange for immediate repairs. Water supply is turned off to the houseboat and actions necessary to prevent and eliminate effluent flow into the bay are taken immediately. If the resident is out of town or the item in need of repair is difficult to access by boat, the marina staff will at a minimum turn off water to the houseboat to ensure there is no leakage into the bay. In some cases marina staff will perform the repair and bill the homeowner.

A written maintenance log is maintained by the marina maintenance personnel to track any known repair to any component of sewer related infrastructure whether performed by a homeowner, marina maintenance staff or outside contractors.

The marina pump/lift stations have regularly scheduled preventative maintenance and any necessary repairs by a plumbing contractor. Each marina maintains parts and supplies on-site to handle the majority potential failures. Again, any system related repairs that are performed are logged.

Observations

The majority of the sewage collection system is entirely above water, suspended beneath the piers and therefore exposed and easily accessible. On the stationary fixed piers, it is only the laterals from the main line to the houseboat that dip below the water level as tidal cycles to high tide. The sewer laterals from the houseboat home to the main are suspended so they are out of the water during low tides. Laterals that connect a houseboat to a floating dock main line tend to be submerged at all times. In these cases the connections to the houseboat holding tank and the dock main are above the water level. In all circumstances, the systems are accessible, and generally visible from the houseboat to where the sewer main goes underground at the transition to shore.

The systems are under pressure and suspended above the water making detection of any leaks or compromises in the system easily recognized both visually and audibly. Houseboat residents interviewed said that they are very aware of unusual dripping or hissing sounds that might indicate a leak. They also said they can smell the sewage if there is a leak. The residents access their homes by walking in close proximity to (sometimes directly above) the sewage collection lines which can be perceived to be to a passive inspection.

Most of the daily sewer system use is conducted during two time periods. Waldo Points pump stations records show that 80% of pumping occurs from 7 am to 10 am, and 18% occurs from 5 pm to 7 pm. These are times when it would be expected that there would also be more resident activity on the docks.

There are three major storm water outfalls in the area of the four houseboat marinas. From south to north they are:

- 48” outfall at Waldo Point “C” Dock
- Drainage channel at Kappas Gate 6 ½ - this channel connects with a pond west of Highway 101 next to the Marin City Shopping Center
- Drainage channel north of Commodore located east of Highway 101 at the intersection at Highway 1.

It is unclear at this time if there is a regular water flow from these locations throughout the year. Additionally, there is a 6’X6’ vault just south of Waldo Point “E” Dock at the city limits of Sausalito. Waldo Point staff believes this is also some sort of storm drain facility. There are also numerous small drainage features in the parking areas along the length of the houseboat marina properties.

It is almost certain that the discharge from the three major storm water outfalls must impact water quality during rain events. These outfalls may also contribute throughout the year depending on flow and watershed water quality. The water quality at these outfalls should be assessed through water testing throughout the year.

Recommendations

Overall, current oversight and response practices are good and relatively consistent throughout the houseboat communities. However, additional community education providing a higher level of community awareness along with more active community participation would provide for a more comprehensive and responsive program. Additionally, a few collection system design and configuration changes would provide for a more visible system for easier inspection and leak detection with less exposure to possible failures. Following are the recommended program elements:

Inspection

- Encourage harbormasters to schedule regular inspections of their dock’s sewage collection system. The mainline sewage tank and pump should be visually inspected, cleaned, and repaired (as necessary) annually. Records of the inspections, findings and action should be maintained, and submitted annually to RBRA/County EHS.
- Encourage dock residents to promptly report leaks to harbormasters. RBRA/County EHS will assist in the event of a delay in response/resolution.
- Sewage collection system inspections should be performed after earthquake/tsunami events as these tend to affect the integrity of the joints.
- Record inspections and document leaks//repairs/other issues in incident reports. Include in annual report to RBRA/County EHS.
- A complete system evaluation should be performed as part of a houseboat marina Use Permit renewal, to assess the integrity of the system components. This should include any system components from the houseboat hull to the shore side pump stations.
- External ejector or grinder pump configurations (those mounted on the outside of the houseboat hull) should be inspected periodically for integrity. Frequency of inspection should be determined based on previously demonstrated durability.

Collection System Design and Configuration

- All ejector or grinder pumps and holding tanks should be moved inside the hull of the houseboat if possible. This should always occur at time of re-hull. Currently about 95% are stationed inside the hull of the houseboat.
- The flexible hoses utilized for the laterals from the houseboat to dock transition should be scheduled for replacement on a periodic basis based on reasonable life expectancy considering the demands of the environment.
- All hard plumbing (holding tanks and hard piping) associated with the houseboat should be maintained completely above the water line at all times.

Information Dissemination

- Work in conjunction with Harbormasters and Floating Homes Association (FHA) to disseminate information concerning the Houseboat Marina Inspection Program to all houseboat residents. An annual issue of the Floating Times (scheduled for printing in February 2012) should:
 - Outline best management practices for individual, onboard sewage systems,
 - Provide a phone tree for sewage emergencies specific to each marina and/or dock,
 - Describe the signs to look for when a leak is suspected.

Recommendations for responsible agencies

Storm Drain and Water Runoff

- Identify all major runoff discharge locations and test water quality regularly at different times of the year.
- Identify all localized area drainage facilities (shore side parking lots, etc.) and assess their impact on water quality.
- Based on findings, consider corrective actions to mitigate any negative impacts.

Submitted by:

Robert Turner

County of Marin

Environmental Health Services Project Manager

Enclosures:

Commodore Marina Sewer System (system description and marina management protocol)

Richardson Bay & Kappas Houseboat Marina (system description and marina management protocol)

City of Sausalito Sewer Ejection Systems – Yearly Maintenance Program

Sewage Ejector Pump information

County Code

Dock List (AP #'s & Addresses)

Aerial Photos (details include Dock Names, Pump Station & Storm Water Outfall locations)

Viewpoint

By Hook or by Crook

Barb Venturi, a town commissioner in Oriental, North Carolina, is jazzed. New dockage for transient cruisers is being installed on the popular sailing town's waterfront. Best of all, it's free, albeit limited to 48 hours.



BY WALLY MORAN

Wally Moran is heading south on his 34-foot Dufour, *Gypsy Wind*

Oriental is a happy exception on the East Coast. Many communities, particularly in Florida, are up in arms about transients anchoring in their vicinity, and this has led to confrontations between townsfolk, bureaucrats and cruisers.

Waterway Guide publisher Jack Dozier, who owns two Chesapeake Bay marinas, says, "The numerous recent notices concerning restrictions on anchorages are at once alarming [to cruisers] and at the same time offer a solution [to problem boats]." He's referring to the establishment of mooring fields as well as proposed restrictions on anchoring in certain areas.

Ordinances restricting anchoring are being considered, modified or enacted in Annapolis, Maryland; Carolina Beach, North Carolina; and St. Augustine, Stuart/Jensen Beach, Marathon, Sarasota and St. Petersburg in Florida. The impetus for these restrictions, particularly in Florida, comes from waterfront homeowners who object to people anchoring "in their backyards," to quote one Miami Beach resident. These homeowners seem to believe they have not just purchased the land, but also the view out to the horizon.

In Annapolis's popular Back Creek, some marinas want to ban cruisers from anchor-

ing entirely, which would have a negative effect on many local businesses, marine and otherwise.

In December, St. Augustine established several mooring fields in the city's most popular anchorages and imposed time limits on anchoring. St. Petersburg's popular Vinoy Basin is now a mooring field, off-limits for anchoring, with no other anchorages close by.

Why mooring fields? Florida state law says no municipality may enact laws concerning anchoring—unless it has a mooring field and is part of the Anchoring & Mooring Pilot Program established by the Florida Fish and Wildlife Conservation Commission (FWC). Any such ordinances require FWC approval. In 2014, the state will decide which laws will be enacted statewide. Until then, inconsistency reigns as pilot program sites go their own way.

In Stuart, popular Manatee Pocket became off-limits for anchoring due to a proposed 300-foot setoff, until the outraged boating community forced Martin County to change that to 50 feet. Sarasota wants a 150-foot setoff. The Keys has proposed proof of pump-out, a mandatory USCG inspection sticker and two managed "anchoring zones." What happens if and when laws like these are enacted statewide?

Clearly, there are no simple solutions to these problems. Cruisers cite their historic right to anchor. Homeowners cite a reasonable expectation of privacy—even though anyone purchasing a home on a public waterway should expect to see boats at anchor.

What most annoys homeowners are derelict boats and those who live aboard them—many of them people who would otherwise be homeless. This is a social issue that needs to be addressed from that perspective. Creating mooring fields and restrictive ordinances is not a real solution.

There are already laws dealing with derelict boats, illegal pumping-out and other issues the pilot program is supposed to resolve, but they are not being enforced. Why craft new laws—unless there is a hidden agenda to control where, how and for how long boaters can anchor? **AL**

For more details on the new ordinances, see the author's blog at Florida Anchoring Issues, anchorsawayinFlorida.blogspot.com

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San Francisco CA	Feb 25	Seattle WA	Apr 1
Shreveport LA	Feb 25	*Newport RI	Apr 14
Fairhope AL	Mar 3	*Raritan Bay NJ	Apr 14
*Kennebunkport ME	Mar 3	Toronto ON	Apr 14
Annapolis MD	Mar 4	Coos Bay OR	Apr 21
Stamford CT	Mar 10	Grove OK	Apr 28
Milwaukee WI	Mar 10	Jersey Shore NJ	TBA
Chicago IL	Mar 11	San Diego CA	TBA
Long Island NY	Mar 11	Trim Webinar (all day)	Mar 24
Boston MA	Mar 17	Trim Webinar (eves)	Mar 27, 29
Wickford RI	Mar 18	Weather Webinar (morns)	Mar 10, 17
Duluth MN	Mar 24	Weather Webinar (eves)	Mar 13, 20
*Philadelphia PA	Mar 24	Racing Software (eves)	Apr 23, 26
City Island NY	Mar 25	Newport Bermuda Strategy (eves)	June 4, 11

* Cruising & Seamanship Seminar

recommend.

Lib at Large: Ale Ekstrom is the grandfather of Sausalito's anchor-outs

By Paul Liberatore

Marin Independent Journal

Posted: 08/19/2012 06:01:00 PM PDT

Anchored out in Richardson Bay



01 / 17

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AFTER 50 YEARS on Richardson Bay, no one has lived the free floating life longer than Ale Ekstrom, the grandfather of Sausalito's storied anchor-outs.

"He's been doing this longer than anybody," says artist Stephen Ehret, a neighbor of Ekstrom's who's lived on the bay for 40 years himself. "He's one of the oldest anchor-outs out here."

At age 76, Ekstrom is a survivor of the infamous houseboat wars of the 1970s, when sheriff's deputies forcibly removed most of the rebel houseboaters on the northern Sausalito waterfront to clear the way for developers to build a marina at Waldo Point.

"The only legitimate business Marin County has is real estate," Ekstrom points out one



bright morning, sitting in the shade of a sail on the 22-foot scow he uses to motor back and forth between the mainland and the 63-foot World War II rescue boat, "Yesterday" (after the Beatles' song), that he shares with two cats.

"They're horrified that anybody would have any alternative to renting, leasing or purchasing property," he goes on. "That's why they have been so antagonistic to people living aboard their boats, especially anchoring out."

The houseboat wars may have been the most high-profile conflict that Ekstrom has witnessed, but since he first anchored out in 1960, becoming one of the first waterfront cowboys, he has weathered other harrowing storms, both political and actual.

"This is not a free ride,"

Advertisement

he insists. "When it storms, you have to pay attention or else Mother Nature will evict you without notice. Without my skill and experience, I would have been swept away in my own wreckage many times."

If you called Central Casting and ordered up a colorful old seaman, they'd send over someone who looks like Ale Ekstrom, a weathered, wiry septuagenarian with a ruddy complexion, orange beard and once flowing red hair, now thinning and going gray. On this day, he has on a faded brown work shirt, a worn wool vest, pants tucked into knee-high socks, a wide-brim straw hat and a jauntily-tied neckerchief. A Navy veteran, he still carries a silver bosun's whistle around his neck along with a Cub Scout pin he earned when he was a boy. When he speaks, he punctuates his lyrical sentences with "oh, good lord" and "good gracious," folksy remnants of his Midwestern childhood. He lives on \$900 a month from Social Security and goes to the V.A. for medical care.

An erstwhile entertainer, he played the concertina and sang sea shanties in coffee houses and folk music clubs and bars until he quit drinking 11 years ago. Now he plays for fun, and, without too much prompting, breaks out his little Italian-made squeeze box and works through a lively 19th century hornpipe tune called "Off to California."

He and Ehret, his neighbor and fellow musician, met in 1964, when they were both performing on the local folk music circuit.

"Ale was the first guy I ever saw with long hair," Ehret remembers. "He had a long braid of red hair down his back. He was really cool."

By Sausalito Police Department count, there are 140 boats anchored-out off Sausalito. They used to be accused of polluting the bay with their sewage, but Ekstrom, Ehret and most others now subscribe to Empty Head Sanitation, a free "honey boat" service.

Over the years, authorities have put the squeeze on their rent-free lifestyle, but the old timers have endured. In the '80s, county officials banned boats from anchoring outside marinas for more than 30 days. In the '90s, they created two moorage areas for anchor-outs, giving them three years to find other accommodations. You can see how that worked out.

Now, rumors are rampant that the anchor-outs are being threatened by the America's Cup races in San Francisco Bay this year and next.

"People are feeling the vibe that they're all going to get thrown out of Richardson Bay because of the America's Cup," says Joe Tate, a pioneer houseboater who lives on the Becky Thatcher, an ark in Waldo Point Harbor.

"There's no doubt in my mind that they're going to do something there," he adds, believing the powers-that-be want to charge wealthy yacht owners to anchor off Sausalito to watch the races. "They don't want to miss out on making all that money."

Suzi "Q" Olson, who anchored out for more than 20 years and now lives on a boat in the Clipper Yacht Harbor, has heard those rumblings as well, but has learned from experience not to take them too seriously.

"Every decade somebody tries to gain control of the anchorage, and it doesn't really work," she says, taking a break from her job varnishing boats. "But with the America's Cup and everything, it's certainly on everybody's mind that they want to make a place for the spectator boats."

The first America's Cup World Series races begin on Tuesday, in an area of San Francisco Bay regulated by the Coast Guard ranging from the Golden Gate Bridge to Alcatraz, south of Angel Island, far from Richardson Bay.

"I haven't heard of anything up in the Sausalito area," says Chief Petty Officer Mike Lutz.

Since Sausalito Police Chief Jennifer Tejada joined the department a year and a half ago, the department has acquired a 26-foot safe boat and has beefed up patrols of the waterfront in a concerted effort to crack down on criminal activity.

"There are about 35 anchor-outs who are frequently in contact with law enforcement," she maintains. "Mostly it's over theft from other boats, damage to other boats, fighting, drinking, drugs, possession of firearms and other weapons. I have zero tolerance for those committing crimes. You have a right to live where you want to as long as you're peaceful and lawful."

At the same time, she has formed a partnership with the county's health and human services department to have nurse interns administer flu shots and deliver emergency care packages to what she considers a marginalized, under-served community. She's also worked with the county's veterans services coordinator to identify anchor-out military veterans who qualify for services. Two months ago, she met with anchor-out representatives and plans to meet with them again.

"My primary objective is to bridge the gap between that community and us," she says. "It's an attempt to break down barriers to communication."

She insists that none of this has anything to do with the America's Cup. "We try to give them the truth and address those rumors," she says.

In the meantime, life on the water for Ale Ekstrom and his neighbors goes on as it has for more than five decades.

"I never feel so religious as I feel when I'm alone on my boat," he says reverentially, reciting by heart a poem he wrote some years ago about his beloved bay. Titled "Ale's Ode," it goes:

"Every day is God's day on Richardson Bay, worshipping on the water/
Bobbing about with bottles and boats for more than a century's quarter/
Dozens of children in boats have been blessed, embraced
by the waters so many love best/
God grant that we never see the day when there's no free anchorage
on Richardson Bay."

Contact Paul Liberatore via email at liberatore@marinij.com; follow him on Twitter at <http://twitter.com/LibLarge>.

Washington state fights derelict vessels

By Maureen O'Hagan, Seattle Times

Published 11:09 p.m., Saturday, October 6, 2012

Seattle -- - Hundreds of derelict or abandoned boats, both large and small, are slowly rotting on Washington's waterways.

And despite a program whose sole mission is to deal with these potential environmental catastrophes, the state just can't keep up with the tide.

In March, 226 vessels were on Washington's "derelict or abandoned" list. By June, the state or other agencies had helped move, shore up, or dispose of 23 of them - which sounds pretty good, until you realize that, in the meantime, 18 more vessels were added to the list. Some boats are removed, only to wind up back on the list a second or third time.

Melissa Ferris, who runs the Derelict Vessel Removal Program, can rattle off stories. There are the boats that appear out of nowhere in state waters, dumped by their owners. Those that break anchor and float away, battering the docks or creating a hazard to navigation. Those that the owner swears are seaworthy, right up to the day they sink. They may contain oil, asbestos and other hazards.

Despite all that, the state just lets most of them sit - one leak away from trouble. Private-property rights make it cumbersome to intervene. Environmental regulations make it expensive. Even government policies that seem perfectly reasonable have turned out to contribute to the problem.

But the main reason derelict vessels are so vexing is this: The economics just don't pencil out. The entire budget for Ferris' agency is \$750,000, yet it can cost far more than that to dispose of a single large vessel.

Most of them don't make news. They're smaller vessels, and amount to little more than eyesores. But sometimes, boats on Ferris' list turn into multimillion-dollar problems.

Like the Deep Sea.

In May, the 140-foot former fishing boat sank in Whidbey Island's Penn Cove, spilling oil within swimming distance of some of the state's prime shellfish beds. It cost the government nearly \$5.4 million to clean up the mess and dispose of it.

But the Deep Sea was a problem vessel long before that. Like many boats on the list, it was passed from owner to owner, until at some point, it was worthless. The vessel was abandoned by its owner at the Port of Seattle; the port sold it to a guy with no real means to deal with it. The port did this even though it feared the boat would show up on "the evening news with our name attached," one e-mail obtained under the state's open records act said.

And that wasn't anywhere near the state's worst derelict-vessel disaster. The 430-foot Davy Crockett cost \$20 million to clean up last year after the owner began to dismantle it, illegally, on the Columbia River.

In the end, it's the public who winds up footing the bill.

Every boat has a story. Mostly, the story involves a good working life and a long, slow death.

Washington, with its boating culture, is hit particularly hard.

"Most public ports have a lot of abandoned boats," said Ferris. "It's a common problem."

It's also one with an inescapable calculus: A boat can cost a lot of money when things are good. It can also cost a lot to get rid of.

First of all, rotten wood is worthless. Big metal boats are worse. They're often sprayed with asbestos. They can be full of lead paint and other hazards, too. Because of stringent environmental regulations, there are just a handful of places in the state where you can legally dismantle them. "It's going to cost you more to get rid of than it's worth," Ferris said.

The 186-foot Northern Retriever, for example, was rotting in Grays Harbor for years, with holes in its hull and no means of propulsion. It wound up costing the state \$835,000 to dismantle and dispose of. Its 1,000 tons of metal sold at scrap for \$78,000.

If you're a maritime business owner who needs to retire a boat, the calculus presents a real dilemma.

"You'd have to have a pretty strong company to commit to spending (hundreds of thousands) to get rid of a vessel that's becoming obsolete," Ferris said.

So what do you do? Some owners strip off parts that can be turned into cash. Then they'll sell their misfit vessel for a pittance, often to someone who thinks he can make a fortune.

Which brings us to the Deep Sea.

Built in 1947, it was a pioneer in the Alaskan crabbing industry. It changed owners over the years, eventually winding up in the hands of Factotum Fisheries. In 2005, Factotum moored

the boat at the port's Fishermen's Terminal, paying \$1,500 per month. But at some point, the owner just stopped paying. By July 2010, the outstanding bill was \$31,000.

Factotum's owner told the port he was sick with cancer and didn't have the money. At this point, the Deep Sea was not only technologically outdated - it was a liability.

"We were kind of left holding the bag," port spokesman Peter McGraw said.

The port wanted its \$31,000. It wanted a paying customer in that slip. But most of all, it wanted the boat gone.

"The port has become increasingly concerned that the vessel, which is essentially an uninsured derelict, constitutes a pollution and liability hazard," a lawyer for the port wrote in May 2011.

Port officials figured dismantling the Deep Sea could cost \$500,000. So they decided to unload it.

The port's Michael DeSota urged caution.

"The background and financial stability should be checked thoroughly on any prospective buyer to assure this doesn't wind up in the evening news," he wrote in an e-mail.

Twice, the port tried to sell it at maritime auctions. No one was willing to pay even a buck.

"Anybody legitimate is going to walk through it and go 'no thanks,' " Ferris said.

Then port officials tried Craigslist.

A Maple Valley man named Rory Westmoreland stepped forward. McGraw said that since Westmoreland was a scrap dealer, he seemed like a good fit.

"We are not in the business of handing over a large vessel like this to just anyone who comes off the street," he said.

If port officials had checked, they would have found Westmoreland had a long history of run-ins with neighbors, code inspectors, the Environmental Protection Agency, police and others.

Eventually, the Deep Sea was sold to Westmoreland for \$2,500.

It was no longer the port's headache.

When Ferris got word the boat was anchored in Penn Cove, she was not happy. She also didn't jump right in and try to seize it, even though that's what people were clamoring for.

Another boat, the Cactus, was too fresh in her mind.

The Cactus' best years were spent in the Coast Guard, working as a buoy tender. But in the 1970s, the vessel was past her prime, so the Coast Guard did what the taxpayer might expect: sold it.

At some point, the Cactus wound up in the hands of David Thomsen. He told the state he bought her for \$35,000 and planned to turn her into a floating sawmill.

He also said that he was the "comptroller of the currency"; that he was "part owner of a \$300 trillion gold mine"; that he "invented the silicon chip"; and that he owns Microsoft and Vulcan, according to Ferris' file on the case.

"If people can't live in society, boats are kind of a last bastion," Ferris said. "We do get a number of people with mental health issues."

By the mid-2000s, the Cactus appeared to be little more than a floating junkyard moored in the Foss Waterway.

The law allows a boat one month in the public waterway before it has to move. In September 2003, Thomsen received his 30-day notice. On day 29, Ferris said, Thomsen used the tides, the wind and a 20-foot fishing boat to tow it to Maury Island. Authorities were hesitant to give him another 30-day notice.

"We could end up chasing this vessel around Puget Sound," one official wrote in an e-mail. "Would that create greater danger?"

The vessel sat there for years. By 2008, it was filled with buckets of paint and epoxy; rusted steel plates, rubber hoses, PVC pipe, leaking pails of seam filler, old newspapers, mattresses, boxes of tiles and who knows what else. There was also fuel and asbestos insulation.

Meanwhile, the boat had been pillaged. Ten-foot pieces of metal had been cut out of the deck. Brass valves were removed.

"The only thing that was keeping the boat from sinking was these corks that had been hammered in," Ferris said.

At one point, it broke anchor and went swinging into the aquatic reserve. Another time, according to Ferris, Thomsen called 911 because it was sinking. He got it under control, but King County decided to step in. In 2008, under Thomsen's protest, the Cactus was towed away for dismantling.

Years later, the boat is still sitting at a Ballard shipyard because there wasn't enough money left in Ferris' budget to scrap it. Between moorage fees, cleaning off the junk, pumping out the holds and other emergency measures, it's cost the state more than \$348,000 so far. Each month is another \$3,000 in moorage.

"We've been baby-sitting this stupid boat for four years basically," Ferris said.

This fall, Ferris said, she'll finally be able to finish the job, thanks to a lump sum from the Legislature.

But the Cactus had taught her a valuable lesson: When you seize a boat, it becomes your boat. And your problem.

Around 1 in the morning one Saturday in May, smoke was pouring from the Deep Sea. By Sunday, it had sunk. The cause is under investigation.

"I've never had any of the vessels on our list spontaneously combust," Ferris said. The state has taken a lot of heat for not swooping in and going after Westmoreland or getting the Deep Sea out of Penn Cove.

But the way Ferris sees it, she didn't have a lot of options. It's the same with the other big boats on the list. Most of the owners can't address the problem, even if she threatens them with fines or even criminal charges.

She definitely doesn't want to wind up with another Cactus. Nor does she want another Deep Sea.

It's not entirely clear what can be done. Five years ago, Ferris' agency wrote a long report outlining the issues and asked for new legislation. Aside from strengthening a little-used criminal misdemeanor statute, almost none of it passed.

After the Davy Crockett disaster, Washington and Oregon joined to create a Derelict Vessel Task Force to push for new state and federal laws. What kind? It's unclear.

At this point, they're just looking for viable ideas.

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